

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

FILED  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON, GA  
2009 NOV 25 AM 11:48  
J. Ashley Royal

UNITED STATES OF AMERICA

VS

HUSSEIN ALI ASFOUR A/K/A "ALEX"

NO: 5:09-MJ-11-005-001

REMOVAL PROCEEDINGS UNDER  
RULE 5

Violation(s): Conspiracy to Transport Stolen  
Goods-18 U.S.C. § 371

ORDER OF REMOVAL TO ANOTHER DISTRICT

The above-named defendant is charged with a violation of the United States Code alleged to have been committed in the Eastern District of Pennsylvania, in case number 09-M-1902

Brief Description of Charge:

Conspiracy to Transport Stolen Goods - 18 U.S.C. § 371.

After a hearing convened under provisions of Rule 5 of the Federal Rules of Criminal Procedure, the undersigned finds that the IDENTITY of said defendant

- ☐ has been established by clear and convincing evidence.
- ☒ has not been contested by the defendant.

- ☒ The court further finds that the DETENTION of said complainant is necessary and appropriate under the circumstances of this case.
- ☐ The court further finds that conditions for the release of the defendant can be set by the court to insure his appearance in the district of prosecution; a separate Order of Release has been entered by the court.

ACCORDINGLY, the defendant is ordered REMOVED to the district of prosecution, and the United States Marshal (or such other authorized agency) is COMMANDED to take custody of the defendant and transport him with a certified copy of this commitment forthwith to the district of offense specified above and there deliver the defendant to the United States Marshal for that district or to some other officer authorized to receive him, all proceedings required by Rule 5 of the Federal Rules of Criminal Procedure having been completed.

SO ORDERED at Columbus, Georgia this 25th day of November, 2009.



*C. Ashley Royal*  
C. ASHLEY ROYAL  
UNITED STATES DISTRICT COURT JUDGE

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UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION  
AT MACON, GEORGIA



MINUTE SHEET  
OF COURT PROCEEDINGS ()

Date: November 23, 2009      Type of Hearing: Initial Appearance  
Judge: C. Ashley Royal      Court Reporter: Digitally Recorded  
Courtroom Deputy: Lee Anne Purvis      Law Clerk:

Case Number: 5:09-mj-11-005-001

U. S. A.      Counsel: Tracia King  
Jennifer Kolman

vs.

Hussein Ali Asfour a/k/a Alex      Counsel: Brian Jarrard

Agents/Experts in attendance: Tony Elder, USPO

*Disclaimer: Contents of this Minute Sheet are for administrative purposes ONLY and are NOT meant as a substitution for the official court record. Attorneys should contact the court reporter and order a transcript if there are any questions as to the contents herein.*

Court time for JS10/MJSTAR: /10

- 3:04 Called to order. The Court calls the case. AFD Jarrard will represent the defendant for the purpose of this hearing. Identity confirmed. The Court informs Defendant of the purpose of this hearing. AUSA King states the charges against Defendant and the maximum possible penalty. The Court advises Defendant of his legal and constitutional rights. The Court notes that the Government moves to transfer this case to the Eastern District of Pennsylvania and advises Defendant that AFD Jarrard is representing Defendant at this hearing only and that Defendant will need to secure counsel in Pennsylvania. The Court advises Defendant of his right to have the Court notify the Consular Official. AFD Jarrard states that Defendant opts for notification. AUSA Kings moves for detention and requests additional time. The Detention Hearing will be heard on Wednesday at 10:00 am. The Court notes receipt and review of the criminal complaint and confirms Defendant's receipt of same. Defendant shall remain in custody pending further hearing. AUSA King confirms that Defendant waives preliminary hearing in this district.
- 3:14 Adjourned.

CJA 23 Rev. 5/98		<b>FINANCIAL AFFIDAVIT</b>		IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE	
IN UNITED STATES		<input type="checkbox"/> MAGISTRATE	<input type="checkbox"/> DISTRICT	<input type="checkbox"/> APPEALS COURT OF	<input type="checkbox"/> OTHER JUDGE (Specify below)
IN THE CASE OF		DATE <u>11/23/09</u>		LOCATION NUMBER	
<u>U.S.A.</u> V.S. <u>Hussein Ali Asfour</u>		FOR <u>CHUNFOU</u>			
		AT <u>DEPUTY CLERK, U.S. DISTRICT COURT</u>			
		<u>MIDDLE DISTRICT OF GEORGIA</u>			
PERSON REPRESENTED (Show your full name) <u>Hussein Ali Asfour</u> <u>100 Cross Link Trail</u> <u>Centerville, GA 31028</u> <u># 478-714-0682</u>			1 <input checked="" type="checkbox"/> Defendant—Adult 2 <input type="checkbox"/> Defendant - Juvenile 3 <input type="checkbox"/> Appellant 4 <input type="checkbox"/> Probation Violator 5 <input type="checkbox"/> Parole Violator 6 <input type="checkbox"/> Habeas Petitioner 7 <input type="checkbox"/> 2255 Petitioner 8 <input type="checkbox"/> Material Witness 9 <input type="checkbox"/> Other		
CHARGE/OFFENSE (describe if applicable & check box →) <input checked="" type="checkbox"/> Felony <u>Conspiracy to Transport Stolen Goods</u> <input type="checkbox"/> Misdemeanor			DOCKET NUMBERS Magistrate <u>5:09-MJ-11-05</u> District Court Court of Appeals		

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self-Employed	
	Name and address of employer: _____		
	IF YES, how much do you earn per month? \$ _____	IF NO, give month and year of last employment <u>09/2009</u> How much did you earn per month? \$ <u>1500.00</u>	
	If married is your Spouse employed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, how much does your Spouse earn per month? \$ <u>2,000</u>	If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____	
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES RECEIVED \$ <u>40,000</u> SOURCES <u>Family loaned &amp; some money</u>		
CASH	Have you any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, state total amount \$ <u>1700 Savings</u> <u>15,000 - 16,000 checking</u>		
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
	IF YES, GIVE THE VALUE AND DESCRIBE IT VALUE <u>75,000</u> <u>26,000</u>	DESCRIPTION <u>Equity in Residence</u> <u>vehicle</u>	

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS	Total No. of Dependents	List persons you actually support and your relationship to them																	
		<input type="checkbox"/> SINGLE <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	<u>8</u>																		
	DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME: _____ Creditors _____ Total Debt _____ Monthly Paymt. _____																			
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Mortgage</td> <td style="width:20%;">\$ <u>322,000</u></td> <td style="width:30%;">\$ <u>2009.00</u></td> </tr> <tr> <td>Utilities</td> <td>\$ _____</td> <td>\$ <u>200 - 800</u></td> </tr> <tr> <td>Groceries</td> <td>\$ _____</td> <td>\$ <u>800.00</u></td> </tr> <tr> <td>Vehicle Payment</td> <td>\$ <u>30,000</u></td> <td>\$ <u>616.00</u></td> </tr> <tr> <td>Auto Insurance</td> <td>\$ _____</td> <td>\$ <u>125</u></td> </tr> <tr> <td>Credit Card</td> <td>\$ <u>4,000</u></td> <td></td> </tr> </table>				Mortgage	\$ <u>322,000</u>	\$ <u>2009.00</u>	Utilities	\$ _____	\$ <u>200 - 800</u>	Groceries	\$ _____	\$ <u>800.00</u>	Vehicle Payment	\$ <u>30,000</u>	\$ <u>616.00</u>	Auto Insurance	\$ _____	\$ <u>125</u>	Credit Card
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Auto Insurance	\$ _____	\$ <u>125</u>																			
Credit Card	\$ <u>4,000</u>																				

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date)

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)
11/23/09  
HA/A

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

Filed at 3:04 P M  
DATE 11/23/09  
CA Asfour  
DEPUTY CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA

UNITED STATES OF AMERICA :

vs. :

HUSSEIN ALI ASFOUR,  
a/k/a "ALEX" :

CRIMINAL NO. 09-M-1902

EASTERN DISTRICT OF PENNSYLVANIA

GOVERNMENT'S MOTION FOR A DETENTION HEARING

COMES NOW the United States of America, by and through its attorney, the United States Attorney for the Middle District of Georgia, and requests the defendant in the above-styled case be detained pursuant to 18 U.S.C. § 3142(e) and (f), and in support of said motion shows the following:

1. Eligibility of Case.

This case is eligible for a detention order because this case involves (check all that apply):

☐ Crime of Violence (18 U.S.C. § 3156)

☐ Maximum sentence of life imprisonment or death

☐ 10 + year drug offense

☐ Felony, with two prior convictions in the above categories

☒ Serious risk the defendant will flee

☐ Serious risk of obstruction of justice

2. Reason for Detention.

The Court should detain defendant because there are no conditions of release which will reasonable assure (check one or both):

☒ Defendant's appearance as required

☒ Safety of any other person and the community

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3. Rebuttable Presumption.

The United States will not invoke the rebuttable presumption against defendant under 18 U.S.C. § 3142(e). (If yes) The presumption applies because (check one or more):

- ☐ Probable cause to believe defendant committed 10 + year  
drug offense or an offense in which a firearm was used or  
carried under 18 U.S.C. § 924(c).
- ☐ Previous conviction for "eligible" offense committed  
while on pretrial bond.
- ☐ A period of five years has not elapsed from defendant's  
conviction or release from imprisonment for the offense  
described above.

4. Time for Detention Hearing.

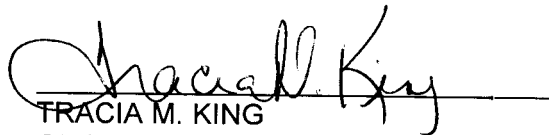
The United States requests the Court conduct the detention hearing:

- ☐ At the initial appearance.
- ☒ After continuance of 2 days (not more than 3).

Respectfully submitted, this 23rd day of November, 2009.

G. F. PETERMAN, III  
ACTING UNITED STATES ATTORNEY

BY:



TRACIA M. KING  
GEORGIA BAR NO. 421380  
SPECIAL ASSISTANT U.S. ATTORNEY  
MIDDLE DISTRICT OF GEORGIA  
P.O. Box 1702  
MACON, GEORGIA 31202-1702  
TEL. (478) 621-2700  
FAX. (478) 621-2655

**CERTIFICATE OF SERVICE**

I, Tracia M. King, Special Assistant United States Attorney, do hereby certify that I have this date served the within and foregoing **GOVERNMENT'S MOTION FOR A DETENTION HEARING** upon the Defendant by hand delivering a copy of said motion to him and by hand delivering a copy to his attorney:

This 23<sup>rd</sup> day of November, 2009.

G. F. PETERMAN, III  
ACTING UNITED STATES ATTORNEY

BY:

A handwritten signature in black ink, appearing to read "Tracia M. King", is written over a horizontal line.

TRACIA M. KING  
GEORGIA BAR NO. 421380  
SPECIAL ASSISTANT U.S. ATTORNEY  
MIDDLE DISTRICT OF GEORGIA  
P.O. Box 1702  
MACON, GEORGIA 31202-1702  
TEL. (478) 621-2700  
FAX. (478) 621-2655

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA

VS.

HUSSEIN ALI ASFOUR,

**Defendant**

NO. 5:09-MJ-11-05 (CWH)

**VIOLATIONS: Fraud Related**

**ORDER**

Defendant HUSSEIN ALI ASFOUR having requested appointment of legal counsel in this criminal proceeding and the undersigned having conducted a review of his present financial condition as reflected in the Financial Affidavit (CJA 23) this day executed by him,

The undersigned finds that defendant ASFOUR currently lacks sufficient assets to retain counsel and that appointment of legal counsel under the Criminal Justice Act is appropriate at this time. Accordingly, the **FEDERAL DEFENDERS OF THE MIDDLE DISTRICT OF GEORGIA, INC.** is appointed to represent the legal interests of the defendant in this proceeding. However, counsel is provided with the understanding that defendant ASFOUR may later be required to REIMBURSE the United States Government for any attorney's fees and costs paid to appointed counsel out of assets later determined to belong to him.

SO ORDERED AND DIRECTED, this 23<sup>RD</sup> day of November, 2009.



A handwritten signature in black ink, reading "Claude W. Hicks, Jr." in a cursive style.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE